IRENE HALEY, et al)

NO. 24,201 Equity

IN THE CIRCUIT COURT

LAWRENCE I. STOUTER,)

FOR FREDERICK COUNTY

MEMORANDUM AND ORDER

A bill of complaint was filed by three heirs of Sarah S. Stouter against the remaining heirs alleging that Sarah S. Stouter died seized and possessed of certain real estate lying in Emmitsburg District of Frederick County, Maryland which cannot be divided amongst said heirs without loss or injury to the parties of interest and praying that the Court appoint trustees to sell same property and divide the proceeds among the parties according to their respective interests.

An answer was filed by Bernard H. Stouter and Charles J. Stouter, two of the named defendants, claiming ownership of the subject property by reason of adverse possession and praying that the bill of complaint be dismissed.

On March 20, 1905, the subject property was conveyed by John M. Stouter and his wife, Sarah S. Stouter to Joseph H. Stouter, father of the respondents, Bernard H. Stouter and Charles J. Stouter. On April 18, 1907, the same Joseph H. Stouter conveyed to his mother Sarah S. Stouter the same subject property.

From 1905 continuously until his death in 1946, Joseph H. Stouter and members of his family lived and occupied the subject land. They improved, cultivated and cleared the land in question and paid the taxes.